

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT CLARK BARKINS,

No. C-11-06398 JCS

Plaintiff,

**ORDER DISMISSING ACTION WITH
PREJUDICE**

v.

LANEY COLLEGE FINANCIAL AID,

Defendants.

Plaintiff Robert Clark Barkins filed an application to proceed *in forma pauperis* (“Application”) in the above-captioned matter. He has consented to the jurisdiction of a United States magistrate judge pursuant to 28 U.S.C. § 636(c). The Court granted the Application but dismissed the Complaint pursuant to 28 U.S.C. § 1915(e) on the basis that it could discern no cognizable federal claim. In particular, the court stated as follows:

The brief factual allegations in Plaintiff’s complaint, to the extent they are legible, suggest that Plaintiff’s action is based on Defendant’s denial of an application for financial aid “because [Plaintiff] didn’t passed [sic] the test.” . . . However, Plaintiff has not identified any legal grounds upon which the denial might be actionable in federal court.

January 5, 2012 Order [docket no. 6]. Plaintiff was given thirty days in which to amend his complaint.

On January 19, 2012, Plaintiff submitted a letter to the Court (filed on January 20, 2012). The letter is not entirely legible but appears to state as follows: “Laney have student taking Wonder Test and was [illegible] Wonderlic A+B Program. I didn’t pass the test But I was eligible For a Federal Pell Grant of up to 5550.” January 19, 2012 Letter [docket no. 7].

1 To the extent Plaintiff's letter is offered as an amended complaint, Plaintiff has failed to
2 remedy the deficiency identified in the Court's January 5, 2012 Order. Specifically, the Court can
3 discern no legally cognizable claim. Accordingly, this action is dismissed with prejudice. The Clerk
4 is instructed to close the file in this case.

5 IT IS SO ORDERED.

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7 DATED: February 13, 2012

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10 JOSEPH C. SPERO
11 United States Magistrate Judge
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